

STATE OF CALIFORNIA  
DECISION OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD



|   |   |                       |
|---|---|-----------------------|
| SERVICE EMPLOYEES INTERNATIONAL UNION,  | ) |                       |
| LOCAL 102, AFL-CIO,                     | ) |                       |
|   | ) |                       |
| Exclusive Representative,               | ) | Case No. LA-D-219     |
|   | ) | (R-109A)              |
| and                                     | ) |                       |
|   | ) | Administrative Appeal |
| CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION | ) |                       |
| and its POWAY CHAPTER #313,             | ) | PERB Order No. Ad-173 |
|   | ) |                       |
| Employee Organization,                  | ) | July 18, 1988         |
|   | ) |                       |
| and                                     | ) |                       |
|   | ) |                       |
| POWAY UNIFIED SCHOOL DISTRICT,          | ) |                       |
|   | ) |                       |
| Employer.                               | ) |                       |

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Appearances: Georgiou & Tosdal by Thomas Tosdal for Service Employees International Union, Local 102, AFL-CIO.

Before Hesse, Chairperson; Craib and Shank, Members.

DECISION

CRAIB, Member: Service Employees International Union, Local 102, AFL-CIO (SEIU) requests to withdraw its appeal of a May 2, 1988 administrative determination by an agent of the Public Employment Relations Board (Board). The Board agent determined that a decertification petition filed on March 11, 1988, by the California School Employees Association and its Poway Chapter #313 (CSEA) was not barred by a contract extension executed by SEIU and Poway Unified School District (District). In addition to its appeal, SEIU filed a request for a stay of all activity in the case pending the Board's

resolution of the appeal.<sup>1</sup> The request for stay was the subject of an earlier withdrawal request, which shall also be addressed herein. Neither request for withdrawal is opposed by either CSEA or the District.

After reviewing the record in this case, including the appeal and the issues involved therein, we find that the purposes of the Educational Employment Relations Act (EERA),<sup>2</sup> as well as the interests of all concerned, will be best served by granting SEIU's withdrawal requests.

#### ORDER

The appeal of the administrative determination of May 2, 1988 and the request for stay of activity are hereby DISMISSED in accordance with the above Decision and the Director of Representation is ordered to proceed with the tally of ballots.

Chairperson Hesse and Member Shank joined in this Decision.

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<sup>1</sup>The decertification election was held on June 13, 1988 and the ballots have been impounded pending our consideration of the stay request.

<sup>2</sup>EERA is codified at Government Code section 3540 et seq.